

**IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION**

UNITED STATES OF AMERICA                          )  
  )  
  )  
v.   )      Case No.: 2:07cr89-MHT  
  )  
SAUL HERNANDEZ-CORTEZ                            )

---

**MOTION TO WITHDRAW AS COUNSEL OF RECORD  
AND FOR APPOINTMENT OF CJA PANEL ATTORNEY**

**COMES NOW** the undersigned counsel, Jennifer A. Hart, and files this Motion to Withdraw as Counsel of Record and for Appointment of a CJA Panel Attorney on behalf of Mr. Hernandez-Cortez. In support of this Motion, counsel states the following:

1.       On May 23, 2007, the Federal Defender Office was appointed to represent Mr. Hernandez-Cortez with respect to the criminal charges he faces in the above-styled case. The case was then assigned to undersigned counsel.
2.       On September 13, 2007, undersigned counsel discovered that a conflict exists between Mr. Hernandez-Cortez and a client of the Federal Defenders Office, which requires counsel to withdraw from further representation of Mr. Hernandez-Cortez. Undersigned counsel will provide additional information under seal if the Court so requests.
3.       It is in the interest of justice to allow undersigned counsel to withdraw and substitute a CJA panel attorney.

**WHEREFORE**, for the reasons set forth above, undersigned counsel respectfully requests the court relieve Jennifer Hart as counsel for the Defendant and court appoint a CJA Panel Attorney as counsel for Mr. Hernandez-Cortez.

Dated this 17<sup>th</sup> day of September, 2007.

Respectfully submitted,

s/Jennifer A. Hart  
**JENNIFER A. HART**  
FEDERAL DEFENDERS  
MIDDLE DISTRICT OF ALABAMA  
201 Monroe Street, Suite 407  
Montgomery, AL 36104  
Phone: (334) 834-2099  
Fax: (334) 834-0353  
[jennifer\\_hart@fd.org](mailto:jennifer_hart@fd.org)  
AL Bar Code: HAR189

**CERTIFICATE OF SERVICE**

I hereby certify that on September 17, 2007, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Jerusha Adams, AUSA.

Respectfully submitted,

s/Jennifer A. Hart  
**JENNIFER A. HART**  
FEDERAL DEFENDERS  
MIDDLE DISTRICT OF ALABAMA  
201 Monroe Street, Suite 407  
Montgomery, AL 36104  
Phone: (334) 834-2099  
Fax: (334) 834-0353  
[jennifer\\_hart@fd.org](mailto:jennifer_hart@fd.org)  
AL Bar Code: HAR189